

### AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all claims that are, or ever were, in the instant patent application.

Listing of claims:

1-35 (canceled).

36 (currently amended).      A conformable, multi-phasic implant for the repair and regeneration of tissue, said implant consisting of a plastically deformable, tissue conductive matrix for tissue regeneration, said matrix consisting of two phases, wherein a first phase of said matrix consists of a non-soluble fiber material and a second phase consists of a flowable biocompatible polymer, said implant having a consistency of a putty just prior to implantation, and remaining at least somewhat compliant after implantation.

37 (canceled).

38 (currently amended)      A conformable, multi-phasic bone implant for the repair and regeneration of bone tissue, said implant comprising components that resorb in stages wherein:

- a. At least a first of said components is a non-soluble ceramic granule;
- b. At least a second of said components is non-soluble collagen fibers and
- c. At least a third component is a flowable collagen gel;

wherein the ceramic granules are blended into the non-soluble collagen fibers as an admixture, and wherein the collagen gel holds the admixture of ceramic granules and non-soluble collagen fibers together, providing a level of structural integrity to the implant, and further wherein said porous implant is arranged for placement within a body of a living being, and still further wherein said implant is plastically deformable, tissue conductive, has a consistency of a putty just prior to implantation and retains at least some compliance following implantation.

39 (currently amended) . A conformable, multi-phasic bone implant for the repair and regeneration of ~~tissue~~ defect in a bone of a living being, said implant comprising a plurality of components that resorb in stages wherein:

- a. At least a first component of said components is non-soluble collagen fibers; and
- b. At least a second component of said components is a flowable soluble collagen gel; wherein said porous implant is arranged for placement in a body of said living being, further wherein the implant is plastically deformable, tissue conductive, has a consistency of a putty just prior to implantation and retains at least some compliance following implantation, and further wherein the flowable soluble collagen gel is mixed with the non-soluble collagen fibers and holds the non-soluble collagen fibers together, providing a level of structural integrity to the implant.

40 (currently amended) . The bone implant of claim 39, wherein the implant initially comprises non-soluble collagen which is in the form of a depot surrounded by lyophilized soluble collagen prior to implantation, wherein the lyophilized soluble collagen collapses into said flowable gel upon hydration.

41 (canceled) .

42 (currently amended) . The bone implant of claim 40, wherein said hydration occurs prior to implantation.

43 (currently amended). A conformable, multi-phasic implant for the repair and regeneration of ~~tissue~~ defect in a bone of a living being, said implant comprising a plastically deformable, tissue conductive matrix for tissue regeneration, said matrix comprising at least two phases, wherein at least a first phase of said matrix comprises a non-soluble fiber material and at least a second phase comprises a flowable biocompatible polymer, further wherein said porous implant is suitable for placement within a body of said living being, said implant having a consistency of a putty just prior to implantation, and remaining at least somewhat compliant after implantation.

- 44 (previously presented).      The implant of claim 43, wherein the second phase is initially dry, and non-flowable, and said dry second phase becomes flowable following hydration.
- 45 (previously presented).      The implant of claim 43, wherein the second phase comprises soluble collagen paste or gel.
46. (previously presented)      The implant of claim 43, wherein the second phase degrades faster than the first phase.
47. (previously presented)      The implant of claim 46, wherein the second phase acts as a delayed porosifying agent.
48. (previously presented)      The implant of claim 43, wherein the first phase comprises biocompatible polymer fibers.
49. (currently amended)      The implant of claim 48, wherein the biocompatible polymer fibers comprise native collagen fibers.
- 50 (cancelled)
- 51 (previously presented)      The implant of claim 43, wherein the implant additionally comprises non-soluble chips or granules blended within said first phase as an admixture.
- 52 (previously presented)      The implant of claim 51, wherein the granules or chips are in the form of spheres.
- 53 (previously presented)      The implant of claim 52, wherein the granules or chips are in the form of micro spheres.

- 54 (previously presented)      The implant of claim 51, wherein the granules or chips are composed of ceramic.
- 55 (previously presented)      The implant of claim 54, wherein the ceramic is a tricalcium phosphate.
- 56 (previously presented)      The implant of claim 55, wherein the tricalcium phosphate is porous.
- 57 (previously presented)      The implant of claim 51, wherein the granules or chips comprise bone.
- 58 (previously presented)      The implant of claim 57, wherein the bone has been demineralized.
- 59 (previously presented)      The implant of claim 43, wherein the matrix further comprises biologically active or pharmaceutical agent.
- 60 (previously presented)      The implant of claim 59, wherein the agent is added to the implant at, or immediately prior to placement of said implant into said tissue.
- 61 (currently amended). The implant of claim 60, wherein the agent comprises at least one of is selected from one or more of the groups of a biologically active agent, a pharmaceutical, and [[or]] an active agent.
- 62 (previously presented)      The implant of claim 61, wherein the biologically active agent comprises cells.
- 63 (currently amended) The implant of claim 62, wherein the cells are [[in]] supplied as a constituent of blood or bone marrow.
- 64 (previously presented)      The implant of claim 51, wherein the granules or chips improve the

mechanical, biological or resorption characteristics of said implant.

65-68 (canceled).

69 (previously presented)      In combination with the implant of claim 43, a syringe, wherein the conformable, multi-phasic implant is arranged to be stored and delivered with said syringe.

70 (previously presented)      In combination with the implant of claim 43, a syringe-like cylindrical housing, wherein the conformable, multi-phasic implant is arranged to be stored and delivered with said syringe-like cylindrical housing.

71 (previously presented)      In combination with the implant of claim 70, a laproscopic cannula or incision comprising a channel, wherein the cylindrical housing comprises a cross-sectional configuration which is arranged to permit sliding passage through the channel.

72 (new).      The implant of claim 38, wherein said non-soluble collagen fibers do not consist of collagen fibrils at the highest level of structural organization.

73 (new).      The bone implant of claim 39, wherein said non-soluble collagen fibers do not consist of the fibrillar form of collagen at the highest level of structural organization.

74 (new).      The implant of claim 49, wherein said native collagen fibers exclude collagen fibrils at the highest level of structural organization.